



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JUL 12 2010

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No.: 7006-2760-0000-8646-8758

Mr. Ross Hubbard
Flint Hills Resources LP
P.O. Box 64596
St. Paul, Minnesota 55164

Re: Flint Hills Resources LP
4100 Elm Street
Bettendorf, Iowa 52722
EPA RCRA ID No. IAD000671495



12.18.09
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Dear Mr. Hubbard:

Letter of Warning & Request for Information

In December 2009, this office mailed to you a letter with directions for downloading the instructions and forms for the 2009 Hazardous Waste Report (commonly called the Biennial Report). This report was to be completed for hazardous waste activities at your facility for calendar year 2009, and submitted on or before March 1, 2010. To date, we have not received the report for your facility. All hazardous waste treatment, storage, and disposal facilities and large quantity generators of hazardous waste must complete this report in accordance with Title 40 of the Code of Federal Regulations (CFR) §262.41.

Below is a link to the U.S. Environmental Protection Agency's (EPA) web site from which you can print the instructions and forms for the 2009 Hazardous Waste Report (commonly called the Biennial Report). These documents can be downloaded from:

<http://www.epa.gov/epawaste/inforesources/data/biennialreport/index.htm>

The U.S. EPA encourages facilities to file their 2009 Hazardous Waste Reports electronically. Software and instructions needed to file electronically can be obtained via the Internet. The link to access and download the ESS 2009 version of Waste Reporter can be reached at:

<http://www.ess-home.com/products/waste-reporter/>

For Waste Reporter support, please send your questions to: wastereporter@ess-home.com.



Within fifteen (15) days of your receipt of this letter, you are required to submit the completed 2009 Hazardous Waste Report to the address listed below. In accordance with 40 CFR §2.203(b), a facility may assert a claim of confidentiality covering all or part of its Hazardous Waste Report. All claims of confidentiality will require substantiation. You bear the burden of substantiating your confidentiality claim pursuant to 40 CFR §2.208(e).

Failure to submit the 2009 Hazardous Waste Report could subject your facility to an enforcement action which may include substantial penalties. The penalties sought in such an enforcement action can be up to \$37,500 per violation per day of non-compliance. Within fifteen (15) days of your receipt of this letter, your completed 2009 Hazardous Waste Report must be submitted to:

Ms. Elizabeth Koesterer (AWMD/WEMM)
U.S. Environmental Protection Agency
901 North 5th Street
Kansas City, Kansas 66101

Enclosed for your information, is a Handler Information Report. This report displays the contact, location and hazardous waste generator status information for your facility that is currently maintained in our files. If your facility did not treat, store or dispose of hazardous waste on-site, or if you were not a large quantity generator of hazardous waste in calendar year 2009, please indicate on the enclosed Handler Information Report that you are not required to file the 2009 Hazardous Waste Report and return it to the address above. If you have any questions concerning this matter, please contact Ms. Koesterer at (913) 551-7673.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Toensing', with a stylized flourish at the end.

Donald Toensing, Chief
Waste Enforcement and Materials Management Branch
Air and Waste Management Division

Enclosure

cc: Cal Lundberg, Iowa Department of Natural Resources (w/out encl)

HANDLER INFORMATION REPORT

May 10, 2010

The information summarized below has been entered into EPA's RCRA Computer Data Base for the INSTALLATION LOCATION AND EPA RCRA Identification Number listed. If any of this information is inaccurate, you may notify us of the change(s) by writing to us, or by completing a Notification of Regulated Waste Activity Form (EPA Form 8700-12), <http://www.epa.gov/osw/inforesources/data/form8700/8700-12.pdf> or simply marking any changes on this report and sending it to EPA at:

EPA REGION 7 - AWM/RESP
901 N 5th Street
KANSAS CITY, KANSAS 66101
Attn: Beth Koesterer

Your cooperation in helping us to maintain accurate records is appreciated. If you have any questions, please call James Terry at (913) 551-7958.

EPA RCRA ID Number: IAD000671495

Name of Company/Site: FLINT HILLS RESOURCES LP
Location of Site: 4100 ELM ST
BETTENDORF, IA 52722
SCOTT County

Land Type: Private

NAICS: 42471 - PETROLEUM BULK STATIONS AND TERMINALS

Mailing Address: P O BOX 64596
ST PAUL, MN 55164

Site Contact: ROSS HUBBARD
Job Title:
Address: P O BOX 64596
ST PAUL, MN 55164
Email: ROSS.HUBBARD@FHR.COM
Phone Number: 651-480-3830

Current Owner of Site: FLINT HILLS RESOURCES LP
Owner Type: Private

Current Operator of Site: FLINT HILLS RESOURCES LP
Operator Type: Private

TYPE(S) OF REGULATED ACTIVITY: Federal* Conditionally Exempt SQG

Hazardous Wastes Handled: D001 D018

I 08/10/09 3 1st N 02/28/00 N 03/04/08 1

Certified by State/EPA on 08/10/09 by
JOHN D DIXON 07/28/09
EPA CONTRACTOR, BOOZ ALLEN HAMILTON

SIGNATURE

PRINTED NAME

OFFICIAL TITLE

DATE SIGNED

All information you submit in a notification can be released to the public, according to the Freedom of Information Act, unless it is determined to be confidential by U.S. EPA pursuant to 40 CFR Part 2. Since notification information is very general, the U.S. EPA believes it is unlikely that any information in your notification could qualify to be protected from release. However, you may make a claim of confidentiality by printing the word "CONFIDENTIAL" on both sides of the Notification Form and on any attachments or submittals including this information report. EPA will take action on the confidentiality claims in accordance with 40 CFR Part 2.

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AWMD/WEMM/KOESTERER:mrw:06/25/10:H:AWMD/WEMM/Corres10/BK:Flinthills

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WEMM *gwl*

KOESTERER

06/17/10

WEMM

TOENSING

06/12/10

Taj

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Sincerely,

Donald Toensing, Chief
Waste Enforcement and Materials Management Branch
Air and Waste Management Division

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Land Type: Private

NAICS: 42471 - PETROLEUM BULK STATIONS AND TERMINALS

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ST PAUL, MN 55164

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Job Title:
Address: P O BOX 64596
ST PAUL, MN 55164
Email: ROSS.HUBBARD@FHR.COM
Phone Number: 651-480-3830

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Owner Type: Private

Current Operator of Site: FLINT HILLS RESOURCES LP
Operator Type: Private

TYPE(S) OF REGULATED ACTIVITY: Federal Conditionally Exempt SQG

Hazardous Wastes Handled: D001 D018

I 08/10/09 3 1st N 02/28/00 N 03/04/08 1

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JOHN D DIXON 07/28/09
EPA CONTRACTOR, BOOZ ALLEN HAMILTON

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PRINTED NAME

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